

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARK BIROSHAK, et al.,	:	Civil No. C-1-01-300
	:	Senior Judge Weber
Plaintiffs,	:	
	:	
v.	:	<u>FEDERAL DEFENDANTS'</u>
	:	<u>STATUS REPORT AND MOTION</u>
CITY OF HAMILTON, et al.,	:	<u>FOR AN EXTENSION OF TIME</u>
	:	<u>TO FILE SUMMARY JUDGMENT</u>
Defendants.	:	<u>MOTION</u>

The federal defendants submit the following status report:

The federal defendants have received a firm settlement proposal from the plaintiffs herein. The proposal is in the process of being reviewed by the agencies involved. The review process is complicated because there are multiple offices involved. It is anticipated that the review process will take another ten to fourteen days. As a result, the federal defendants suggest that the parties report back to the Court no later than February 16, 2004.

Additionally, the federal defendants respectfully move the Court to extend the date for the filing of their dispositive motion to February 16, 2004. Counsel for the city defendants has no objection to the requested extension. Counsel has been unable

to reach plaintiffs' counsel concerning this request.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/Gerald F. Kaminski

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing FEDERAL DEFENDANTS' STATUS REPORT AND MOTION FOR EXTENSION OF TIME TO FILE SUMMARY JUDGMENT MOTION was served on this 2nd day of February, 2004, electronically on: Scott T. Greenwood, Esq., and Wilson G. Weisenfelder, Esq.

s/Gerald F. Kaminski

GERALD F. KAMINKSI
Assistant U.S. Attorney